



General Assembly

January Session, 2007

***Raised Bill No. 7138***

LCO No. 4320

\*04320\_\_\_\_\_GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

***AN ACT CONCERNING FIRE CODE INSPECTIONS AND LIQUOR  
LICENSE RENEWALS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-39 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) For the purposes of this section, the "filing date" of an application  
4 means the date upon which the department, after approving the  
5 application for processing, mails or otherwise delivers to the applicant  
6 a placard containing such date.

7 (b) (1) Any person desiring a liquor permit or a renewal of such a  
8 permit shall make a sworn application therefor to the Department of  
9 Consumer Protection upon forms to be furnished by the department,  
10 showing the name and address of the applicant and of the applicant's  
11 backer, if any, the location of the club or place of business which is to  
12 be operated under such permit and a financial statement setting forth  
13 all elements and details of any business transactions connected with  
14 the application. Such application shall include a detailed description of  
15 the type of live entertainment that is to be provided. A club or place of

16 business shall be exempt from providing such detailed description if  
17 the club or place of business (A) was issued a liquor permit prior to  
18 October 1, 1993, and (B) has not altered the type of entertainment  
19 provided. The application shall also indicate any crimes of which the  
20 applicant or the applicant's backer may have been convicted.  
21 Applicants shall submit documents sufficient to establish that state and  
22 local building [, fire] and zoning requirements and local ordinances  
23 concerning hours and days of sale will be met, except that local  
24 building and zoning requirements and local ordinances concerning  
25 hours and days of sale shall not apply to any class of airport permit.  
26 [The State Fire Marshal or the marshal's certified designee shall be  
27 responsible for approving compliance with the State Fire Code at  
28 Bradley International Airport.] Any person desiring a permit provided  
29 for in section 30-33b shall file a copy of such person's license from the  
30 Division of Special Revenue or the Gaming Policy Board with such  
31 application. The department may, at its discretion, conduct an  
32 investigation to determine whether a permit shall be issued to an  
33 applicant.

34 (2) The applicant shall pay to the department a nonrefundable  
35 application fee, which fee shall be in addition to the fees prescribed in  
36 this chapter for the permit sought. An application fee shall not be  
37 charged for an application to renew a permit. The application fee shall  
38 be in the amount of ten dollars for the filing of each application for a  
39 permit by a charitable organization, including a nonprofit public  
40 television corporation, a nonprofit golf tournament permit, a  
41 temporary permit or a special club permit; and for all other permits in  
42 the amount of one hundred dollars for the filing of an initial  
43 application. Any permit issued shall be valid only for the purposes and  
44 activities described in the application.

45 (3) The applicant, immediately after filing an application, shall give  
46 notice thereof, with the name and residence of the permittee, the type  
47 of permit applied for and the location of the place of business for  
48 which such permit is to be issued and the type of live entertainment to

49 be provided, all in a form prescribed by the department, by publishing  
50 the same in a newspaper having a circulation in the town in which the  
51 place of business to be operated under such permit is to be located, at  
52 least once a week for two successive weeks, the first publication to be  
53 not more than seven days after the filing date of the application and  
54 the last publication not more than fourteen days after the filing date of  
55 the application. The applicant shall affix, and maintain in a legible  
56 condition upon the outer door of the building wherein such place of  
57 business is to be located and clearly visible from the public highway,  
58 the placard provided by the department, not later than the day  
59 following the receipt of the placard by the applicant. If such outer door  
60 of such premises is so far from the public highway that such placard is  
61 not clearly visible as provided, the department shall direct a suitable  
62 method to notify the public of such application. When an application is  
63 filed for any type of permit for a building that has not been  
64 constructed, such applicant shall erect and maintain in a legible  
65 condition a sign not less than six feet by four feet upon the site where  
66 such place of business is to be located, instead of such placard upon  
67 the outer door of the building. The sign shall set forth the type of  
68 permit applied for and the name of the proposed permittee, shall be  
69 clearly visible from the public highway and shall be so erected not  
70 later than the day following the receipt of the placard. Such applicant  
71 shall make a return to the department, under oath, of compliance with  
72 the foregoing requirements, in such form as the department may  
73 determine, but the department may require any additional proof of  
74 such compliance. Upon receipt of evidence of such compliance, the  
75 department may hold a hearing as to the suitability of the proposed  
76 location. The provisions of this subdivision shall not apply to  
77 applications for airline permits, charitable organization permits,  
78 temporary permits, special club permits, concession permits, military  
79 permits, railroad permits, boat permits, warehouse permits, brokers'  
80 permits, out-of-state shippers' permits for alcoholic liquor and out-of-  
81 state shippers' permits for beer, coliseum permits, coliseum concession  
82 permits, special sporting facility restaurant permits, special sporting

83 facility employee recreational permits, special sporting facility guest  
84 permits, special sporting facility concession permits, special sporting  
85 facility bar permits, nonprofit golf tournament permits, nonprofit  
86 public television permits and renewals. The provisions of this  
87 subdivision regarding publication and placard display shall also be  
88 required of any applicant who seeks to amend the type of  
89 entertainment upon filing of a renewal application.

90 (4) In any case in which a permit has been issued to a partnership, if  
91 one or more of the partners dies or retires, the remaining partner or  
92 partners need not file a new application for the unexpired portion of  
93 the current permit, and no additional fee for such unexpired portion  
94 shall be required. Notice of any such change shall be given to the  
95 department and the permit shall be endorsed to show correct  
96 ownership. When any partnership changes by reason of the addition of  
97 one or more persons, a new application with new fees shall be  
98 required.

99 (c) Any ten persons who are at least eighteen years of age, and are  
100 residents of the town within which the business for which the permit  
101 or renewal thereof has been applied for, is intended to be operated, or,  
102 in the case of a manufacturer's or a wholesaler's permit, any ten  
103 persons who are at least eighteen years of age and are residents of the  
104 state, may file with the department, within three weeks from the last  
105 date of publication of notice made pursuant to subdivision (3) of  
106 subsection (b) of this section for an initial permit, and in the case of  
107 renewal of an existing permit, at least twenty-one days before the  
108 renewal date of such permit, a remonstrance containing any objection  
109 to the suitability of such applicant or proposed place of business. Upon  
110 the filing of such remonstrance, the department, upon written  
111 application, shall hold a hearing and shall give such notice as it deems  
112 reasonable of the time and place at least five days before such hearing  
113 is had. The remonstrants shall designate one or more agents for  
114 service, who shall serve as the recipient or recipients of all notices  
115 issued by the department. At any time prior to the issuance of a

116 decision by the department, a remonstrance may be withdrawn by the  
 117 remonstrants or by such agent or agents acting on behalf of such  
 118 remonstrants and the department may cancel the hearing or withdraw  
 119 the case. The decision of the department on such application shall be  
 120 final with respect to the remonstrance.

121 (d) No new permit shall be issued until the foregoing provisions of  
 122 subsections (a) and (b) of this section have been complied with. Six  
 123 months' or seasonal permits may be renewed, provided the renewal  
 124 application and fee shall be filed at least twenty-one days before the  
 125 reopening of the business, there is no change in the permittee,  
 126 ownership or type of permit, and the permittee or backer did not  
 127 receive a rebate of the permit fee with respect to the permit issued for  
 128 the previous year.

129 (e) The department may renew a permit that has expired if the  
 130 applicant pays to the department a nonrefundable late fee pursuant to  
 131 subsection (c) of section 21a-4, which fee shall be in addition to the fees  
 132 prescribed in this chapter for the permit applied for. The provisions of  
 133 this subsection shall not apply to one-day permits, to any permit which  
 134 is the subject of administrative or court proceedings, or where  
 135 otherwise provided by law.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2007</i>	30-39
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***Statement of Purpose:***

To eliminate the requirement for an inspection by a fire marshal when a business renews it liquor license.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*